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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Barrett, et. al
Serial No. : 10/723,273
Filed : November 25, 2003
Conf. No. : 8613
Title : DELIVERY METHODS AND DEVICES FOR IMPLANTABLE
BRONCHIAL ISOLATION DEVICES

Art Unit : 3738
Examiner : Unknown

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


TRANSMITTAL LETTER

Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (1 page) and cited references for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:

- [X] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,



Fred C. Hernandez
Reg. No. 41,832

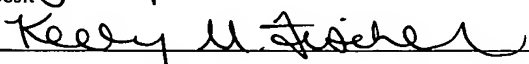
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796

10410490.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

July 13, 2004.


Signature

Kelly M. Fischer
Typed or Printed Name of Person Signing Certificate



Attorney's Docket No.: 17075-021001
(38349-0125)

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited documents are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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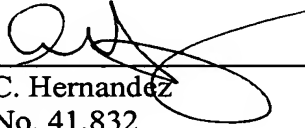
Further to the list provided in the communication hand delivered on March 16, 2004, applicant also makes known to the Examiner the following pending International Application that have one or more common inventors and/or are commonly owned:

<u>Int'l Appln. No.</u>	<u>Filing Date</u>	<u>Docket No.</u>
PCT/US03/37890	11/25/03	021WO1 (0125PC)

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,



Fred C. Hernandez
Reg. No. 41,832

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Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17075-021001 (38349-0125)	Application No. 10/723,273
List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b))		Applicant Barrett, et. al	
		Filing Date November 25, 2003	Group Art Unit 3738

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	2001/0027323	10/04/01	Sullivan, III et al.	606	108	05/30/01

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AB	00/18330	04/06/00	PCT				
	AC	2004/049974	06/17/04	PCT				

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	